

## Embassy Suites – Site Plan/CUP

Staff Report: Lee Jones  
Application #: ZA21-000079

Planning Commission Meeting Date: January 25, 2022  
Applicant: Woodbine Development      Property Location: 112 West Beach Blvd

STAFF RECOMMENDATION: APPROVE WITH CONDITIONS

### SUMMARY OF REQUEST

The applicant seeks Site Plan/CUP approval in order to develop an eight (8) story mixed-use development consisting of an Embassy Suites Hotel, restaurant, retail, conference space, and a parking garage.

Article 10-2 B. *Deviations*, of the Zoning Ordinance, allows deviations from Zoning and Overlay standards if such deviations are found to comply with the goals and intent of the Future Land Use Plan. The applicant is requesting three (3) deviations to the BT-5 and Walking Area Overlay District zoning regulations.

Applications requesting deviations from zoning standards shall follow the Conditional Use Permit review and approval process.

### SURROUNDING CONTEXT & ZONING

The property's location (112 West Beach Boulevard), near the intersection of Beach Boulevard and Gulf Shores Parkway, is the city's traditional center of beach-oriented tourism and its primary image in the minds of many visitors. The property is zoned BT-5 and is within the Walking Area Overlay District. The surrounding zoning and land uses are as follows:

- South – Maximum Density Tourist Business District (BT-5) / Surfstyle Mixed-Use building, Gulf Place Public Beach
- North – Medium Density Tourist Business District (BT-2) / Desoto's Restaurant, Cherry on Top Ice Cream Parlor, The Steamer Restaurant
- East – Maximum Density Tourist Business District (BT-5) / Alvin's Island Retail Store
- West – High Density Tourist Business District (BT-4) / Vacant Land

### PREVIOUS APPROVALS

**2015 City of Gulf Shores Request for Development Proposals** - In support of the Gulf Beach District action item described in the Vision 2025 for Sustainability Plan, the City sent out a request for proposals, and entered into a project development agreement for a mixed-use development consisting of an Embassy Suites Hotel, conference space, a restaurant, and street-front, pedestrian accessible retail space. Two important conditions of the agreement are:

1. The City shall vacate and convey fee simple title to the eastern 30 feet of the West 1st Street right-of-way prior to the property closing; and
2. The developer shall pay the City a one-time lump sum amount of \$1,200,000 to be used by the City to construct 150 public parking spaces to enhance public access and walkability in the Gulf Beach District.

**Board of Zoning Adjustment** - On June 11, 2019, two variances were granted:

1. A variance from the required 10' side yard setback (8-5.B.4.), in order to place portions of the building at 0'; and
2. A variance from the maximum 85% impervious coverage (Table 8-5B and Table 10-1A) in order to cover up to 98% of the lot with impervious surfaces.

**Planning Commission** – On June 25, 2019, the Planning Commission approved a Site Plan in order to develop an eight (8) story mixed-use development consisting of an Embassy Suites Hotel, restaurant, retail, conference space, and a parking garage on the subject property.

**West 1st Street Right-of-Way Vacation** - On August 26, 2019, by Resolution #6178-19, the City Council vacated the eastern 30' of the West 1st Street public right-of-way. The City will convey this property to 112 West Beach Blvd as required by the development agreement. The Embassy Suites site plan indicates this area will be used for vehicular stacking, valet and hotel check –in services.

**Expiration of Approvals** – During the time of approvals, the COVID-19 pandemic created uncertainties in the financial markets, especially within the lodging and conference arena. Due to these uncertainties, the applicant was not able to begin construction of the project within the timeframes provided by the Site Plan and Variance approvals, and each approval expired.

## **PLANNING BACKGROUND**

**Future Land Use Plan** - This property is designated as "Commercial/Mixed Use" on the Future Land Use Map and is part of the "Gulf Beach District." The Gulf Beach District is one of five areas of development focus within the City, and is intended to function as a pedestrian scaled, mixed-use, family-friendly destination that serves as a catalyst for economic growth and which reinforces this area as the traditional center of beach-oriented tourism.

**Vision 2025 Plan for Sustainability** –Adopted in 2014, this plan identifies five (5) strategies, or "critical actions," to further develop the City's economy beyond the summer tourist season. One of the "critical actions" described in the plan is the further development of the Gulf Beach District into a beachfront that is pedestrian and bike-friendly, and that provides walking access to dining, shopping, and lodging uses.

### **Existing Zoning**

Underlying Zoning - BT-5: Maximum Density Tourist Business District. The BT-5 District is intended to implement the most intense development envisioned in the "Gulf Beach District." This zoning district permits a wide range of uses, shallow setbacks, and building heights up to 22 habitable stories.

Overlay Zoning - Walking Area Overlay District. The Walking Area Overlay District provides additional standards and bonuses for qualifying developments, intended to incentivize development that incorporates a mixture of uses and other amenities and conveniences for both residents and visitors.

## **PROPOSED SITE PLAN**

The applicant seeks site plan approval for an 8-story mixed use building. Specifics of the Embassy Suites development are:

- Lot Size: 2.09 acres
- Proposed Uses: 257-room Embassy Suites Hotel, 4,200 SF restaurant, 5,350 SF of retail, 10,495 SF conference / meeting rooms
- Building Height (Max. 22 stories): 8 stories
- Building Coverage (Max. 80%): 84%
- Impervious Surfaces (Max. 85%): 98%
- Floor Area Ratio (Max. 200%): 130%
- Setbacks (Front 0ft, Rear 0ft, Sides 10ft): Front 4ft, Rear 0ft, Sides 0ft
- Minimum Landscape (20%): 20.5%
- Parking (336 required): 257 spaces provided (Applicant has submitted a Local Parking Demand Study to support the proposed mix of uses and number of parking spaces provided)

## **ANALYSIS**

The site plan for Embassy Suites mixed-use building is designed in accordance with the Zoning Ordinance regulations, supports the goals of the Land Use Plan and the Vision 2025 for Sustainability and can establish a standard for future mixed-use projects in Gulf Shores.

### **Vision 2025 for Sustainability**

The Embassy Suites mixed use development provides rental units, restaurant, retail and conference room space all of which is promoted by the Vision 2025 plan. The project creates a park once environment and shifts the priority from the vehicle to the pedestrian. The development is visually integrated with Gulf Place and the surrounding area and the mix of uses will help activate the Walking District.

### **Future Land Use Plan Compliance**

Embassy Suites is a pedestrian scaled, mixed-use, family-friendly development that can serve as a catalyst for economic growth and reinforces this area as the traditional center of beach-oriented tourism. The subject property is specifically mentioned in the Future Land Use Plan as an implementation opportunity to construct a mixed-use building containing uses such as retail, restaurants, conference space, vacation rental units, and parking. The construction of a mixed use Embassy Suites Hotel development on the property furthers a goal of the Land Use Plan.

### **Zoning Compliance**

Use – The BT zoning district is intended to provide suitable locations for walkable, mixed-use developments consisting of hotels and compatible commercial uses that provide residents and tourists with services, conveniences and amenities. The uses proposed by the Embassy Suites development are allowed by “Right” in the BT-5 zoning district.

Area & Dimensional Regulations - The proposed Site Plan is consistent with the Use Regulations and Area and Dimensional Requirements of the BT-5 Zoning District and Walking Area Overlay District, with the exception of three requested deviations. Embassy Suites is only 8 stories tall instead of the maximum 22 habitable stories and has been designed to complement the surrounding uses.

Zoning Deviations - Article 10-2, B., Deviations, of the Zoning Ordinance, allows for deviations to the underlying and overlay zoning standards if such deviations are found to comply with the goals and standards of the Future Land Use Plan. Request for deviations are processed through the CUP application process. The requested deviations are further described and analyzed below.

1. A deviation from the required 10' side yard setback (8-5.B.4.), in order to place portions of the building at 0'.

While the Zoning Ordinance permits a zero-foot side setback within this zoning district, the Ordinance further stipulates that buildings exceeding 250 feet in width must be set back from the side lot line. The proposed mixed-use building is approximately 340 feet wide.

### **Analysis**

Article 6-3, C. 2. Side Yards of the Zoning Ordinance reads, “To encourage a compact, walkable development pattern, side yards are generally not required.” The side yard is required in this particular instance, because the building is greater than 250 feet in width. This development is unique from many developments in Gulf Shores, because structured parking is integrated into the design of the building. The building must be wider than 250 feet in order for the parking structure to accommodate ramps to vertically circulate vehicles.

In order to break down the perceived width of the building, the architect has provided significant variations in the building height and width along Beach Boulevard. The retail and occupied portions of the building maintain a minimum setback of five feet, and the parking deck is the only portion of the building without a side yard setback.

2. A deviation from the maximum 85% impervious coverage (Table 8-5B and Table 10-1A) in order to cover up to 98% of the lot with impervious surfaces.

The primary reason for impervious surface standards is to reduce impacts of new development on municipal stormwater infrastructure.

3. A deviation from the maximum 80% building coverage (Table 8-5B and Table 10-1A) in order to cover 84% of the lot with the building.

Similar to the maximum impervious coverage percentage, the reason for maximum building coverage standards is to reduce impacts of new development on municipal stormwater infrastructure.

#### Analysis

The City of Gulf Shores received a grant from the Alabama Coastal Area Management Program to design a regional stormwater management plan for the eight-block area around the intersection of State Highway 59 and State Highway 182. Some of the stormwater infrastructure has been completed in the area around the Embassy Suites project.

The regional stormwater solution is essential to transform the beach area of Gulf Shores into a dense, compact, walkable, mixed-use district as envisioned by the Future Land Use Plan. A key element of this transformation is the development of a stormwater master plan that will address stormwater on an area-wide basis instead of a site-by-site basis. Traditional on-site detention ponds for individual developments are not compatible with a compact, pedestrian-friendly district. The stormwater master plan proposes to detain and treat stormwater within public rights of way, thus reducing the need for on-site percolation.

The overall combined stormwater plan for the area, including the public beach and other parcels that are part of the larger picture will reduce impervious area as a whole. In that context, the building coverage and impervious area of a segment of the overall plan, such as this particular site, does not create a detriment to the drainage of the area, nor does it jeopardize the goals of the City for this area.

#### Plan Review

##### Ingress/Egress and Parking

Two points of ingress/egress are provided to the development; a primary entrance along West 1<sup>st</sup> Street and another along West 1<sup>st</sup> Avenue. The primary entrance on West 1<sup>st</sup> Street contains a porte-cochere, a vehicular stacking lane, and will provide guest check-in and valet services.

In accordance with Article 14-2 B. Parking Reductions in Overlay Districts of the Zoning Ordinance the Embassy Suites project utilizes a local parking demand study to generate parking demand figures more suited to the proposal, its combination of uses, and location than the standard parking requirements. Pacheco Koch Traffic Engineers submitted a parking study indicating 257 spaces will meet the parking demand instead of the standard requirement of 336 spaces. The parking study is based on the current edition of the Institute of Transportation Engineers *Parking Generation Handbook*. The peak parking demand of the proposed uses is 234 parking spaces.

The development agreement requires the developer to pay \$1.2 million to go towards the construction of 150 new public parking spaces. This money will be paired with \$800,000 dollars of grant money to further enhance parking and the walkability of the beach area.

##### Pedestrian Connectivity

The development activates the street frontage along Beach Boulevard. The building is located at the back of public sidewalks, and is aligned lengthwise along the primary frontage with entrances along the public sidewalks on West Beach Boulevard in an effort to promote and foster pedestrian activity.

The development uses FEMA flood proofing techniques along the retail and restaurant areas abutting Beach Boulevard to lower the finished elevation of the building and allow for convenient pedestrian access. The required minimum number of bicycle parking spaces are provided near the entrances to the building.

#### Building Architecture

The building is proposed to be stucco material, provides horizontal and vertical modulation of the façade as required by the Walking Overlay District architectural regulations. The building colors will be white, light grey, and dark grey. The portion of the 1<sup>st</sup> floor facing West Beach Boulevard is lined with clear glass in an amount that exceeds the 40% glazing requirement. Louvers have been provided in the openings in the parking deck to screen the vehicles.

#### Open Space & Landscaping

Complies with the Zoning Ordinance. Twenty percent of the property consists of landscaping. The definition of landscaping in the Zoning Ordinance includes trees, shrubs, ground covers, vines, walkways, ponds, fountains, benches, sculptures, and similar materials used for creating an attractive appearance, therefore portions of the pool deck and amenity level are included in the landscape calculation. The plans indicate all of the open space areas will be operated and maintained by the operator of the hotel.

Perimeter landscaping is provided in the required landscape buffer areas abutting West Beach Boulevard and West 1<sup>st</sup> Street. The size, quantities and species of plants and trees complies with the minimum requirements of the landscape regulations. No landscaping is required along the north and east sides because the building is placed on the property line.

#### Drainage

As previously indicated, off-site drainage will be utilized in accordance with the City of Gulf Shores Walking Overlay District Master Drainage Plan instead of providing an on-site detention pond. The regional stormwater solution is essential to transform the beach area of Gulf Shores into a dense, compact, walkable, mixed-use district as envisioned by the Future Land Use Plan. The management plan is currently under construction and will be finished by the time the Embassy Suites mixed-use development is completed.

#### Trash Collection

Complies. A waste refuse area is within the parking deck at the northeast corner of the building. A letter has been provided from Republic Services indicating the site can be serviced.

#### Exterior Lighting

An exterior lighting plan has been provided showing the proposed locations of all exterior lighting fixtures. A note on the plans indicates the lights will comply with all Turtle Friendly Lighting Regulations and full cut off fixture requirements.

#### Fire Marshal

The Fire Marshal has conditionally approved the site plan for Embassy Suites.

**RECOMMENDATION:** Staff recommends the Planning Commission approve the Site Plan/CUP application for the Embassy Suites Mixed-Use Development with the following conditions:

1. Items requiring additional details prior to the issuance of a Building Permit are:
  - a. The north façades of the parking structures shall be finished with masonry façades that repeat the expression of (having similar materials, structural elements, and size and proportions of openings) the occupied Stories of the Façade.”
  - b. A new FAA Form 7460-1 shall be submitted since the previously submitted form has expired.
2. The City shall convey the portion of the West 1st Street right-of-way which was vacated by Resolution #6178-19 and combine the vacated area with the existing lot prior to Embassy Suites closing on the property.



3. Fire Marshal Conditions of approval:
  - a. Completed Gulf Shores Fire Rescue Site Plan Engineering Checklist signed and sealed by an Alabama registered P.E. shall be submitted as per the 2021 IFC and Site Plan Checklist GS Planning and Zoning Dept.
  - b. Alabama registered P.E. report showing that the Available Water Supply and Infrastructure/Location (Water Lines etc.) meet the designed Required Fire Flow of the building and it's Fire Protection Systems as per the 2021 IFC and referenced codes.
  - c. Minimum number of and Fire Hydrant location as per appendix C 2021 IFC Table C102.1
  - d. Update Fire Safety Plan Page with these conditions.
4. The City Council approves the following deviations:
  - a. A deviation according to Article 8-5 B, 4. Side Yards of the Zoning Ordinance to allow a 0ft east Side Yard Setback as opposed to the required 10ft setback;
  - b. A deviation from the maximum 85% impervious coverage (Table 8-5B and Table 10-1A) in order to cover up to 98% of the lot with impervious surfaces; and
  - c. A deviation from the maximum 80% building coverage (Table 8-5B and Table 10-1A) in order to cover 84% of the lot with the building.

## Embassy Suites –Location Map



**RESOLUTION ZA21-000079**  
**Embassy Suites Mixed Use Development**  
**Site Plan/CUP**

Be it resolved by the Gulf Shores Planning Commission while in regular session on January 25, 2022, and by a vote of ??, hereby approves, approves with conditions, denies the Site Plan/ Conditional Use Permit for the proposed plan for Embassy Suites Mixed Use Development to be located at 112 West Beach Boulevard based on the following Standards for Approval:

1. The Plan is consistent in all respects with the Comprehensive Plan and the purpose and intent of the applicable district.
2. The Plan is in conformance with all applicable regulations of the applicable district.
3. The Plan is in conformance in all respects with the City's Subdivision Regulations and all other applicable City requirements including design, adequacy and construction of streets, drainage, utilities and other Essential Services or facilities.
4. The Plan is consistent with good design standards in respect to all internal and external relationships, including but not limited to
  - a. Relationship to Adjacent properties;
  - b. Internal circulation, both vehicular and pedestrian;
  - c. Design of access and egress and impact on Adjacent Thoroughfares;
  - d. Disposition and use of Open Space, provision of Screening and/or Buffering, and preservation of existing natural features including trees, Wetlands, and Dunes;
  - e. Size and apparent Bulk of Structures;
  - f. Building arrangements both between Buildings in the proposed development and those on abutting sites.
5. The Plan is in conformance in all respects with City policy in respect to sufficiency of ownership, guarantees for completion of all required improvements, and, if private, the guarantee for continued maintenance.

**Approval is subject to the following Special Conditions:**

1. Items requiring additional details prior to the issuance of a Building Permit are:
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  - c. A deviation from the maximum 80% building coverage (Table 8-5B and Table 10-1A) in order to cover 84% of the lot with the building.

Be advised that before any construction activities can commence on the property, City permits must be issued prior to any construction or demolition commencing on the site. A building permit must be obtained within one year of the date of this Resolution or the CUP will become null and void.

This resolution shall become effective upon its adoption.

ADOPTED this 25<sup>th</sup> day of January, 2022.

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Robert Steiskal, Jr.  
Chairman, Planning Commission

Attest:

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Mell Davis  
Secretary, Planning Commission